

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DANIELLE DAVIS,)
)
Plaintiff,)
)
vs.) Case No. 4:24-cv-01490-AGF
)
DANIEL D. PIASECKI,)
)
Defendant.)

MEMORANDUM AND ORDER

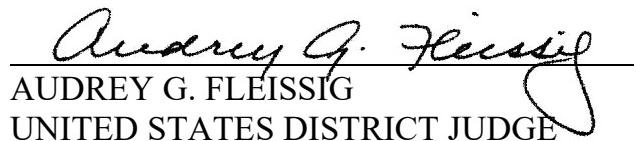
This matter is before the Court on Plaintiff Danielle Davis' Notice of Voluntary Dismissal. ECF No. 15. The Court interprets Plaintiff's filing as a motion for leave to dismiss without prejudice, which will be denied for the reasons set forth below.

Under Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. Here, Defendant Daniel D. Piasecki has already filed an answer to Plaintiff's Complaint. ECF No. 5. Therefore, under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and (a)(2), Plaintiff may only dismiss this action by filing a stipulation of dismissal signed by all parties who have appeared or by Court order on terms the Court considers proper. Because Plaintiff has failed to submit a stipulation of dismissal signed by herself and Defendant, the Court will deny her motion.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for leave to dismiss without prejudice (ECF No. 15) is **DENIED**.

Dated this 31st day of January, 2025.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE